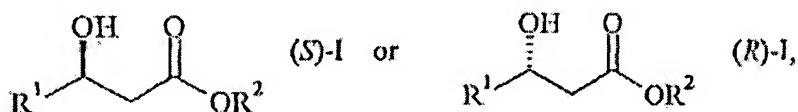


AMENDMENTS TO THE CLAIMS

This Listing Of Claims will replace all prior versions, and listings, of the claims in the application.

Listing of the Claims:

Claim 1: (Original): Process for the preparation of enantiomerically pure (S)- or (R)-4-halo-3-hydroxybutyrate of formula



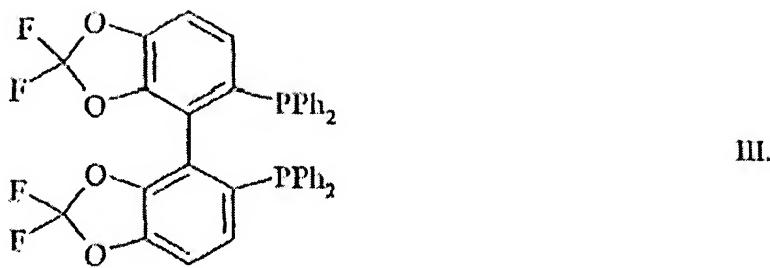
wherein R¹ is CH₂X, CHX₂ or CX₃ and X independently represents Cl and/or Br and wherein R² is C₁₋₆-alkyl, C₃₋₆-cycloalkyl, aryl or aralkyl, each aryl or aralkyl being optionally further substituted with one or more C₁₋₄-alkyl groups and/or halogen atoms,

which process comprises the asymmetric hydrogenation of 4-halo-3-oxobutyrate of formula



wherein R¹, R² and X are as defined above

in the presence of a catalyst of a ruthenium complex comprising a chiral ligand of formula



Claim 2 (Original): The process of claim 1, wherein the ruthenium complex comprising a ligand of formula III comprises at least one diene, alkene or arene or polar solvent molecule as stabilizing ligand.

Claim 3 (Currently Amended): The process of claim 1 or 2, wherein the ruthenium complex comprising a ligand of formula III comprises at least one molecule of 1,5-cyclooctadiene or *p*-cymene as stabilizing ligand.

Claim 4 (Currently Amended): The process of claim 1 ~~one of claims 1 to 3~~, wherein the hydrogenation is carried out in a solution comprising a polar solvent selected from the group consisting of C₁₋₄-alcohols, dimethylsulfoxide, dimethylformamide, acetonitrile and mixtures thereof, wherein the solvent optionally contains further solvent additives.

Claim 5 (Currently Amended): The process of claim 1 ~~any one of claims 1 to 4~~, wherein the counterion of the ruthenium complex is selected from the group consisting of Cl⁻, Br⁻, I⁻, BF₄⁻, AsF₆⁻, SbF₆⁻, PF₆⁻, ClO₄⁻ and OTf⁻.

Claim 6 (Currently Amended): The process of claim 1 ~~any one of claims 1 to 5~~, wherein the ruthenium complex is prepared by mixing the complex of formula [Ru₂Cl₄(cym)₂] with the Fluoxphos ligand in a polar solvent.

Claim 7 (Currently Amended): The process of ~~claim 1 any of claims 1 to 6~~, wherein the hydrogen pressure during the reaction is in the range of 1 to 60 bar and preferably in the range of 2 to 35 bar.

Claim 8 (New): The process of claim 2, wherein the ruthenium complex comprising a ligand of formula III comprises at least one molecule of 1,5-cyclooctadiene or *p*-cymene as stabilizing ligand.

Claim 9 (New): The process of claim 2, wherein the hydrogenation is carried out in a solution comprising a polar solvent selected from the group consisting of C₁₋₄-alcohols, dimethylsulfoxide, dimethylformamide, acetonitrile and mixtures thereof, wherein the solvent optionally contains further solvent additives.

Claim 10 (New): The process of claim 3, wherein the hydrogenation is carried out in a solution comprising a polar solvent selected from the group consisting of C₁₋₄-alcohols, dimethylsulfoxide, dimethylformamide, acetonitrile and mixtures thereof, wherein the solvent optionally contains further solvent additives.

Claim 11 (New): The process of claim 2, wherein the counterion of the ruthenium complex is selected from the group consisting of Cl⁻, Br⁻, I⁻, BF₄⁻, AsF₆⁻, SbF₆⁻, PF₆⁻, ClO₄⁻ and OTf⁻.

Claim 12 (New): The process of claim 8, wherein the counterion of the ruthenium complex is selected from the group consisting of Cl⁻, Br⁻, I⁻, BF₄⁻, AsF₆⁻, SbF₆⁻, PF₆⁻, ClO₄⁻ and OTf⁻.

Claim 13 (New): The process of claim 10, wherein the counterion of the ruthenium complex is selected from the group consisting of Cl⁻, Br⁻, I⁻, BF₄⁻, AsF₆⁻, SbF₆⁻, PF₆⁻, ClO₄⁻ and OTf.

Claim 14 (New): The process of claim 9, wherein the counterion of the ruthenium complex is selected from the group consisting of Cl⁻, Br⁻, I⁻, BF₄⁻, AsF₆⁻, SbF₆⁻, PF₆⁻, ClO₄⁻ and OTf.

Claim 15 (New): The process of claim 2, wherein the ruthenium complex is prepared by mixing the complex of formula [Ru₂Cl₄(cym)₂] with the Fluoxphos ligand in a polar solvent.

Claim 16 (New): The process of claim 8, wherein the ruthenium complex is prepared by mixing the complex of formula [Ru₂Cl₄(cym)₂] with the Fluoxphos ligand in a polar solvent.

Claim 17 (New): The process of claim 9, wherein the ruthenium complex is prepared by mixing the complex of formula [Ru₂Cl₄(cym)₂] with the Fluoxphos ligand in a polar solvent.

Claim 18 (New): The process of claim 14, wherein the ruthenium complex is prepared by mixing the complex of formula [Ru₂Cl₄(cym)₂] with the Fluoxphos ligand in a polar solvent.

Claim 19 (New): The process of claim 2, wherein the hydrogen pressure during the reaction is in the range of 1 to 60 bar and preferably in the range of 2 to 35 bar.

Claim 20 (New): The process of claim 8, wherein the hydrogen pressure during the reaction is in the range of 1 to 60 bar and preferably in the range of 2 to 35 bar.

Claim 21 (New): The process of claim 9, wherein the hydrogen pressure during the reaction is in the range of 1 to 60 bar and preferably in the range of 2 to 35 bar.

Claim 22 (New): The process of claim 14, wherein the hydrogen pressure during the reaction is in the range of 1 to 60 bar and preferably in the range of 2 to 35 bar.

Claim 23 (New): The process of claim 18, wherein the hydrogen pressure during the reaction is in the range of 1 to 60 bar and preferably in the range of 2 to 35 bar.